



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2003 Assembly Bill 212

Assembly Amendment 2

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Under *current law*, no person may use, or possess with the primary intent to use, drug paraphernalia to manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, or store methamphetamine or a controlled substance analog of methamphetamine in violation of ch. 961, Stats. A person who violates this provision is guilty of a Class H felony, punishable by a fine of not more than \$10,000 and imprisonment of not more than three years. [s. 961.573, Stats.]

Under *Assembly Bill 212*, whoever uses or possesses drug paraphernalia related to methamphetamine, as described above, while in the presence of a child who is **16 years of age** or younger is guilty of a Class G felony, punishable by a fine of not more than \$25,000 and imprisonment of not more than five years.

Assembly Amendment 2 provides that the increased penalty applies to possession of drug paraphernalia related to methamphetamine while in the presence of a child who is **14 years of age** or younger.

The Assembly adopted Assembly Amendment 2 on a voice vote and passed the bill, as amended, on a vote of Ayes, 80; Noes, 19, on November 4, 2003.

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